



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS' REGULAR MEETING

November 7, 2001

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:30 a.m. in the 7th floor Board room at the Air District headquarters, 939 Ellis Street, San Francisco, California.

Questions About an Agenda Item

The name and telephone number of the appropriate staff person to call for additional information or to resolve concerns is listed for each agenda item.

Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:30 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

BOARD OF DIRECTORS' REGULAR MEETING A G E N D A

**WEDNESDAY
November 7, 2001
9:30 A.M.**

**BOARD ROOM
7TH FLOOR**

CALL TO ORDER

Opening Comments
Roll Call
Pledge of Allegiance

Randy Attaway, Chairperson
Clerk of the Boards

PUBLIC COMMENT PERIOD

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3
Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Board's subject matter jurisdiction. Speakers will be limited to five (5) minutes each.

CONSENT CALENDAR (ITEMS 1 – 7)

Staff/Phone (415) 749-

1. Minutes of October 17, and October 24, 2001 **M. Romaidis/4965**
2. Communications **E. Garvey/4970**
Information only
3. Report of the Advisory Council **J. Kelly/4962**
4. Quarterly Report of California Air Resources Board Representative **E. Garvey/4970**
5. Report on District Energy Use **W. Tanaka/5066**
Summary of District energy use beginning August 2000 through September 2001 for Board review included in packet.
6. Notice of Execution of Purchase Order in excess of \$20,000 **R. Wucher/4943**
The District's Computer Operations Section included the replacement of personal computers in the FY 2001-2002 capital budget. The computers were purchased from Gateway Business under Purchase Order number 13646 in the amount of \$31,139.50.
7. Set Public Hearing for November 21, 2001 to consider proposed amendments to District Regulation 8, Rule 3: Architectural Coatings, Manual of Procedures, Volume I, Number 7: Emissions Averaging Procedure for Architectural Coatings, and certification of a Final Environmental Impact Report pursuant to the California Environmental Quality Act. **T. Perardi/4667**
The proposed amendments will impose more stringent VOC requirements on some categories of coatings. The existing exemption for one liter (1.057 quart) containers will remain in effect. The proposed amendments are derived from the Suggested Control Measure (SCM) developed by staff of the California Air Resources Board (CARB) and approved by CARB on June 22, 2000. The SCM, and proposed Rule 3 amendments, contains definitions, VOC limits, container labeling requirements, reporting requirements, and references to test

methods for compliance determinations. The proposed Emissions Averaging Procedure for Architectural Coatings is also derived from the SCM.

COMMITTEE REPORTS AND RECOMMENDATIONS

8. Report of the **Executive Committee** Meeting of October 31, 2001

CHAIR: R. ATTAWAY

E. Garvey/4970

9. Report of the **Personnel Committee** Meeting of October 31, 2001

CHAIR: S. HAGGERTY

E. Garvey/4970

PUBLIC HEARING

10. First of two Public Hearings to consider proposed amendments to Regulation 3: Fees and Regulation 5: Open Burning and approval of a Negative Declaration for the California Environmental Quality Act. The second public hearing has been set for December 19, 2001 to consider any further testimony regarding proposed amendments to Regulation 3.

J. Guthrie/4787

The proposed amendments will incorporate certain provisions from the California Air Resources Board guidelines for prescribed burning (Title 17, California Code of Regulations, Section 80100 et seq.); Restrict and clarify existing burn hours for all allowable fires; Expand and update the notification requirements prior to burning; allow fire training burns at night and public exhibition fires on no-burn days with conditions; Require a person to attempt to cease burning once District staff advises that person of three or more confirmed complaints; Require tree stumps and trunks to be cut or split into sections small enough to ensure that burning material does not smoke after sunset; Eliminate obsolete rule language, and provide for consistency and clarity throughout; and impose new open burning fees for marsh burning and prescribed burning activities.

OTHER BUSINESS

11. Report of the Air Pollution Control Officer

12. Chairperson's Report

CLOSED SESSION

13. Conference with District's Labor Negotiators
(Government Code § 54957.6(a))

*Agency Negotiators: Rich Sanchez, Human Resources Officer
Peter Hess, Deputy APCO*

*Employee Organization: Bay Area Air Quality Management District Employees'
Association, Inc.*

14. Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following cases:

- a) *Communities for a Better Environment and Transportation Defense and Education v. Bay Area AQMD, Metropolitan Transportation Commission, and Association of Bay Area Governments, SFSC No. 323849*
- b) *Santa Teresa Citizen Action Group, City of Morgan Hill, et al. v. the U.S. Environmental Protection Agency*
USCA (9th Cir.) Case No. 01-71611

OPEN SESSION

15. Board Members' Comments

Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may; ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)

16. Place of Next Meeting - 9:30 a.m., Wednesday, November 21, 2001 at 939 Ellis Street, San Francisco, CA 94109

17. Adjournment

EG:mag